

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING TITLE II) ORDINANCE NO. 02-967
 ADMINISTRATION AND PROCEDURES (CHAPTERS)
 2.03, 2.05, 2.06, 2.07, 2.09, 2.11, 2.12, 2.14, 2.15, 2.16, 2.17)
 and 2.18), OF THE METRO CODE TO CONFORM TO)
 THE METRO CHARTER AMENDMENTS ADOPTED ON)
 NOVEMBER 7, 2000, AND DECLARING AN) Introduced by the Council
 EMERGENCY) Governmental Affairs Committee

WHEREAS, on November 7, 2000, the electors of Metro approved Ballot Measure 26-10 amending the Metro Charter; and

WHEREAS, the Metro Charter Amendments, created the Office of Council President and abolished the Office of the Executive Officer; and

WHEREAS, the Metro Council amended Metro Code Chapter 2.01 to reflect the creation of the office of Metro Council President pursuant to Ordinance No. 02-954A on June 27, 2002; and

WHEREAS, the Metro Charter Amendments required the Metro Council to create the Office of the Chief Operating Officer; and

WHEREAS, the Metro Charter Amendments, added Metro Code Chapter 2.20 to create the office of Chief Operating Officer and to define the duties and responsibilities of the Chief Operating Officer, pursuant to Ordinance No. 02-942A on June 27, 2002; and

WHEREAS, the Metro Charter Amendments required the Council to create the Office of the Metro Attorney; and

WHEREAS, the Metro Council amended Chapter 2.08 of the Metro Code to create the office of the Metro Attorney and to define the duties and responsibilities of the Metro Attorney, pursuant to Ordinance No. 02-953A on June 27, 2002; and

WHEREAS, it is necessary to amend the following Chapters of Title II Administration and Procedures to conform to the Metro Charter Amendments adopted on November 7, 2000:

Exhibit	Chapter	Title II Administration and Procedures
A	2.03	Civil Penalties
B	2.05	Procedure for Contested Cases
C	2.06	Investment Policy
D	2.07	One Percent For Art Program
E	2.09	Contractor's Business License Program
F	2.11	Government Relations
G	2.12	Office of Citizen Involvement
H	2.14	Facility-Related Parking Policy and Regulations
I	2.15	Metro Auditor
J	2.16	Naming of Facilities

Exhibit	Chapter	Title II Administration and Procedures
K	2.17	Code of Ethics For Metro Officials and Requirements for Lobbyists
L	2.18	Campaign Finance Regulation

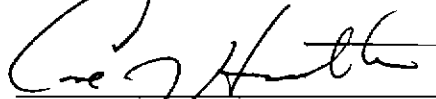
THE METRO COUNCIL ORDAINS AS FOLLOWS:

- The Metro Code Chapters are amended as provided for and are attached as follows:

Exhibit	Chapter	Title II Administration and Procedures
A	2.03	Civil Penalties
B	2.05	Procedure for Contested Cases
C	2.06	Investment Policy [Deleted and moved to revised Title VII Finance]
D	2.07	One Percent For Art Program
E	2.09	Contractor's Business License Program
F	2.11	Government Relations [Repealed]
G	2.12	Office of Citizen Involvement
H	2.14	Facility-Related Parking Policy and Regulations
I	2.15	Metro Auditor
J	2.16	Naming of Facilities
K	2.17	Code of Ethics For Metro Officials and Requirements for Lobbyists
L	2.18	Campaign Finance Regulation

- The Metro Charter Amendments to Title II Administration and Procedures of the Metro Code adopted by this ordinance shall take effect on January 6, 2003.

ADOPTED by the Metro Council this 21st day of November 2002.


 Carl Hosticka, Presiding Officer

Attest:


 Christina Billington, Recording Secretary

Approved as to Form:

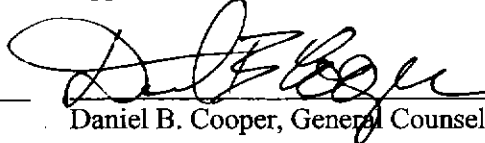

 Daniel B. Cooper, General Counsel

Exhibit A
Metro Charter 2003 Amendments to Metro Code

CHAPTER 2.03

CIVIL PENALTIES

SECTIONS	TITLE
2.03.010	Purposes
2.03.020	Definitions
2.03.030	Consolidation of Proceedings
2.03.040	Notice of Violation and Intent to Assess Civil Penalty
2.03.050	Mitigating and Aggravating Factors
2.03.060	Zoo Schedule of Civil Penalties
2.03.070	Solid Waste Schedule of Civil Penalties
2.03.080	Written Notice of Assessment of Civil Penalty; When Penalty Payable
2.03.090	Compromise or Settlement of Civil Penalty by Director

2.03.010 Purposes

The purpose of these rules and regulations is to prescribe the procedures and requirements for the notice, assessment, collection and enforcement of civil penalties.

(Ordinance No. 50, Sec. 1)

2.03.020 Definitions

Unless otherwise required by context, as used in this subdivision:

(a) "Director" means the "Department Director" as defined in Section 2.17.020(d)~~director of a department of Metro.~~

~~(b) "License" as used in this Code, has the meaning given that word by ORS Chapter 183.~~

~~(c) "Order" means (i) any action satisfying the definition given in ORS Chapter 183, or (ii) any other action so designated in ORS Chapter 268.~~

(d) "Respondent" means the person against whom a civil penalty is assessed.

(e) "Violation" means a transgression of any provision or condition of any license and includes both acts and omissions.

~~(f) "License" as used in this Code, has the meaning given that word by ORS 183.310(3) (1975 Replacement Part).~~

(Ordinance No. 50, Sec. 2)

2.03.030 Consolidation of Proceedings

Notwithstanding that each and every violation is a separate and distinct offense, and in cases of continuing violation, each day's continuance is a separate and distinct violation, proceedings for the assessment of multiple civil penalties for multiple violations may be consolidated into a single proceeding.

(Ordinance No. 50, Sec. 3)

2.03.040 Notice of Violation and Intent to Assess Civil Penalty

(a) Except as provided in subsection (d) of this section, prior to the assessment of any civil penalty the Director shall serve a written notice of violation and intent to assess civil penalties upon the respondent.

(b) The notice shall be personally delivered or sent by registered or certified mail by an employee of Metro or any other competent person over the age of 18 years to:

- (1) The respondent; or
- (2) Any person designated by law as competent to receive service of a summons or notice for the respondent; or
- (3) Following appearance of counsel for the party, the party's counsel.

(c) A notice of violation shall specify the violation and state that Metro will assess a civil penalty if the violation continues or occurs after five (5) days following service of the notice.

(d) Written notice of violation and intent to assess a civil penalty shall not be required where:

- (1) The respondent has otherwise received actual notice of violation not less than five (5) days prior to the violation for which a penalty is assessed.
- (2) The violation is of a type that would normally not be in existence for five (5) days or the jurisdiction of Metro to prosecute the violation is liable to be interrupted within that time.

(Ordinance No. 50, Sec. 4)

2.03.050 Mitigating and Aggravating Factors

(a) In establishing the amount of a civil penalty to be assessed, the Director or the Council shall consider the following factors:

- (1) Whether the respondent has committed any prior violation, regardless of whether or not any administrative, civil, or criminal proceeding was commenced therefore;
- (2) The history of the respondent in taking all feasible steps or procedures necessary or appropriate to correct any violation;
- (3) The economic and financial conditions of the respondent.

(b) In establishing whether a civil penalty should be remitted or mitigated, the Director or the Council may consider the following factors:

- (1) The gravity and magnitude of the violation;
- (2) Whether the violation was repeated or continuous;
- (3) Whether a cause of the violation was an unavoidable accident, or negligence, or an intentional act of the respondent;
- (4) The opportunity and degree of difficulty to correct the violation;
- (5) The respondent's cooperativeness and efforts to correct the violation for which the penalty is to be assessed;
- (6) The cost to Metro of investigation and correction of the cited violation prior to the time Metro receives respondent's answer to the written notice of assessment of civil penalty; or
- (7) Any other relevant factor.

(c) Unless the issue is raised in respondent's answer to the written notice of assessment of civil penalty, the Council may presume that the economic and financial conditions of respondent would allow imposition of the penalty assessed by the Director. At the hearing, the burden of proof and the burden of coming forward with evidence regarding the respondent's economic and financial condition or regarding any factor urged in mitigation shall be upon the respondent.

(Ordinance No. 50, Sec. 5)

2.03.060 Zoo Schedule of Civil Penalties

In addition to any liability, duty, or other penalty provided by law, the Director may assess a civil penalty for any violation pertaining to the zoo by service of a written notice of assessment of civil penalty upon the respondent. The amount of such civil penalty shall be determined consistent with the following schedule:

- (a) Not less than \$100 nor more than \$500 for violation of an order of Metro or its Council.

(b) Not less than \$25 nor more than \$500 for any violation which causes, contributes to, or threatens the injury of any zoo animals.

(c) Not less than \$25 nor more than \$500 for any other violation.

(Ordinance No. 50, Sec. 6)

2.03.070 Solid Waste Schedule of Civil Penalties

In addition to any liability, duty, or other penalty provided by law, the Director may assess a civil penalty for any violation pertaining to the transferring, processing or disposal of solid waste by service of a written notice of assessment of civil penalty upon the respondent. The amount of such civil penalty shall be determined consistent with the following schedule:

(a) Not less than \$100 nor more than \$500 for violation of an order of Metro or its Council.

(b) Not less than \$25 nor more than \$500 for any other violation.

(Ordinance No. 50, Sec. 7)

2.03.080 Written Notice of Assessment of Civil Penalty: When Penalty Payable

(a) A civil penalty shall be due and payable when the respondent is served a written notice of assessment of civil penalty signed by the Director. Service of the written notice of assessment of civil penalty shall be in accordance with the service provisions of Section 2.03.040.

(b) The written notice of assessment of civil penalty shall include:

- (1) A reference to the particular sections of the statute, rule, regulation, standard, order, certificate or permit involved;
- (2) A short and plain statement of the matters asserted or charged;
- (3) A statement of the amount of the penalty or penalties imposed; and
- (4) A statement of the respondent's right to request a hearing.

(c) The respondent shall have 20 days from the date of mailing of the notice in which to make written application for a hearing before the Metro.

(d) All hearings shall be conducted pursuant to the contested case hearing procedures in the Metro Code.

(e) Unless the amount of the penalty is paid within 10 days after the order becomes final, the order shall constitute a judgment and may be filed in accordance with the provisions of Oregon Law ORS 18.320 to 18.370. Execution may be issued upon the order in the same manner as execution upon a judgment of a court of record.

(Ordinance No. 50, Sec. 8)

2.03.090 Compromise or Settlement of Civil Penalty by Director

At any time subsequent to service of the written notice of assessment of civil penalty, the Director is authorized to seek to compromise or settle any unpaid civil penalty which he deems appropriate. Any compromise or settlement executed by the Director shall not be final until approved by the Council.

(Ordinance No. 50, Sec. 9)

Exhibit B
Metro Charter 2003 Amendments to Metro Code

CHAPTER 2.05

PROCEDURE FOR CONTESTED CASES

SECTION	TITLE
2.05.005	Contested Case Defined, Notice of Opportunity for Hearing, Service
2.05.007	Rights of Parties in Contested Cases
2.05.010	Immediate Suspension or Refusal to Renew a License or Permit, Notice of Opportunity for Hearing, Service
2.05.015	Orders When No Hearing Requested or Failure to Appear
2.05.025	Hearing
2.05.030	Evidentiary Rules
2.05.035	Proposed Orders in Contested Cases Other Than Personnel Discharges
2.05.040	Proposed Orders in Contested Cases on Personnel Discharges
2.05.042	Ex Parte Communications to the Hearings Officer
2.05.043	Ex Parte Communications to Councilors
2.05.045	Final Orders in Contested Cases, Notification, Review
2.05.046	Motions
2.05.047	Service of Documents on All Parties
2.05.050	Reconsideration, Rehearing

2.05.005 Contested Case Defined, Notice of Opportunity for Hearings, Service

- (a) A contested case exists whenever:
- (1) Individual legal rights, duties or privileges of specific parties are required by statute or Constitution to be determined only after a hearing at which specific parties are entitled to appear and be heard;
 - (2) ~~The district~~Metro has discretion to suspend or revoke a right or privilege of a person; or
 - (3) There is a proceeding regarding a license, franchise or permit required to pursue any activity governed or regulated by ~~the district~~Metro; or
 - ~~(4) There is a discharge of a district employee; or~~
 - ~~(5) The district proposes to require a county, city or special district to change a plan pursuant to ORS 268.380 or 268.390; or~~

(46) There is a proceeding in which ~~the district~~Metro has directed by ordinance, rule or otherwise that the proceeding be conducted in accordance with contested case procedures.

(b) A contested case does not exist when a ~~district~~Metro action rests solely on the results of a test or inspection.

(c) ~~The district~~Metro shall give notice to all parties in a contested case. The notice shall include:

- (1) A statement of the party's right to request a hearing, or a statement of the time and place of the hearing;
- (2) A statement of the authority and jurisdiction under which the hearing is to be held;
- (3) A reference to the particular sections of the statutes, ordinances or rules involved;
- (4) A short and plain statement of the matters asserted, charged or proposed;
- (5) A statement that the party may be represented by counsel at the hearing; and
- (6) When applicable, a statement that if the party desires a hearing, ~~the district~~Metro must be notified within a specified number of days; ~~and~~

(d) Unless the Council provides otherwise, the number of days within which ~~the district~~Metro must be notified that the party desires a hearing shall be as follows:

- (1) Within 30 days of the date of mailing of notice; or
- (2) Within 60 days of the notification of refusal to issue a license, franchise or permit required to pursue any activity governed or regulated by ~~the district~~Metro, if the refusal is based on grounds other than the results of a test or inspection; or
- (3) Within 90 days of an immediate suspension or refusal to renew a license or franchise pursuant to Section 2.05.010 of these rules; or.
- (4) In the case of a personnel discharge, within 14 days of the employee's receipt of the Notice of discharge.

(e) The notice shall be served personally or by registered or certified mail.

(f) ~~The district~~Metro may provide that notice in addition to that required by this section be given for specific types of contested case.

(Rule No. 79-3. Amended by Rule No. 81-5 and Ordinance No. 82-137, Sec. 2)

2.05.007 Rights of Parties in Contested Cases

(a) The following information shall be given to the parties before commencement of a contested case hearing:

- (1) If a party is not represented by an attorney, a general description of the hearing procedure.
- (2) Whether a record will be made of the proceeding and the manner of making the record and its availability to the parties.
- (3) Whether an attorney will represent ~~the district~~Metro in the matters to be heard and whether the parties ordinarily and customarily are represented by an attorney.
- (4) The title and function of the person presiding at the hearing with respect to the decision process, including, but not limited to, the manner in which the testimony and evidence taken by the person presiding at the hearing are reviewed, the effect of that person's determination, who makes the final determination on behalf of ~~the district~~Metro, whether the person presiding at the hearing is or is not an employee, officer, or other representative of ~~the district~~Metro and whether that person has the authority to make a final independent determination.
- (5) Whether there exists an opportunity after the hearing and prior to the final determination or order of the agency to review and object to any proposed Findings of Fact, Conclusions of Law, summary of evidence or recommendations of the officer presiding at the hearing.
- (6) A description of the appeal process from the determination or order of ~~the district~~Metro.

(b) The information required in subsection (a) may be given in writing or orally before the commencement of the hearing.

(Rule No. 79-3. Amended by Rule No. 81-5 and Ordinance No. 82-137, Sec. 2)

2.05.010 Immediate Suspension or Refusal to Renew a License or Permit, Notice of Opportunity for Hearing, Service

(a) If ~~the district~~Metro finds there is a serious danger to the public health or safety, it may suspend or refuse to renew a license or permit immediately.

(b) ~~The district~~Metro shall give notice to the party upon immediate suspension or refusal to renew a license or permit. The notice shall include:

- (1) A statement of the party's right to hearing.
- (2) A statement of the authority and jurisdiction under which the hearing is to be held.

- (3) A reference to the particular sections of the statutes, ordinances and rules involved.
 - (4) A short and plain statement of the matters asserted, charged or proposed.
 - (5) A statement that the party may be represented by counsel at the hearing.
 - (6) A statement that if the party demands a hearing ~~the district~~Metro must be notified within 30 days of date of the notice.
 - (7) A statement giving the reason or reasons for the immediate action.
 - (8) The effective date of the suspension or refusal to renew the license or permit.
- (c) The notice shall be served personally or by registered or certified mail.

(Rule No. 79-3)

2.05.015 Orders When No Hearing Requested or Failure To Appear

(a) When a party has been given an opportunity and fails to request a hearing within the specified time or fails to appear at the specified time and place of the hearing, ~~the district~~Metro may enter an order which supports ~~the district~~Metro action or an order denying the petition upon which the hearing was to be held.

(b) The order supporting ~~the district~~Metro action shall set forth the material on which the action is based or the material shall be attached to and made a part of the order.

(Rule No. 79-3)

2.05.025 Hearing

(a) The hearing shall be conducted by, and shall be under the control of, the ~~council~~Council ~~President presiding officer~~ or a hearings officer. Contested case hearings on amendments to the regional Urban Growth Boundary shall be before a hearings officer. The Council may from time to time approve and provide to the Chief Operating Officer ~~executive officer~~ a list of prospective hearings officers from which hearings officers may be appointed by the Chief Operating Officer ~~executive officer~~. Unless the hearing is to be held before the Council, the hearings officer in a contested case shall be a member of the Oregon State Bar.

(b) In the case of a hearing on a personnel discharge, the employee shall be given the opportunity to select the hearings officer from a list of at least three prospective hearings officers approved by the Council.

(c) At the discretion of the ~~presiding officer~~Council President or the hearings officer, the hearing shall be conducted in the following order:

- (1) Staff report, if any.
- (2) Statement and evidence by ~~the district~~ Metro in support of its action, or by the petitioner in support of a petition.
- (3) Statement and evidence of affected persons disputing ~~the district~~ Metro action or petition.
- (4) Rebuttal testimony.

(d) The hearings officer, a Council member, the Chief Operating Officer ~~executive officer~~ or his/her designee, the Metro Attorney general counsel, and the affected parties shall have the right to question any witnesses. Cross-examination by parties shall be by submission of written questions to the Council President ~~presiding officer~~ or hearings officer; provided however that cross-examination by parties may be oral, at the discretion of the Council President ~~presiding officer~~ or hearings officer, if such questioning will not disrupt the proceedings.

(e) The hearing may be continued for a reasonable period as determined by the Council President ~~presiding officer~~ or hearings officer.

(f) The Council President ~~presiding officer~~ or hearings officer may set reasonable time limits for oral presentation and may exclude or limit cumulative, repetitious or immaterial testimony.

(g) Exhibits shall be marked and the markings shall identify the person offering the exhibits. The exhibits shall be preserved by ~~the district~~ Metro as part of the record of the proceedings.

(h) A verbatim oral, written, or mechanical record shall be made of all the proceedings. Such verbatim record need not be transcribed unless necessary for Council or judicial review.

(i) Upon conclusion of the hearing, the record shall be closed and new evidence shall not be admissible thereafter; provided, however, that upon proper showing, the Council President ~~presiding officer~~ or hearings officer may reopen the hearing for receipt of new evidence which could not have been introduced earlier and which is otherwise admissible under Section 2.05.030.

(Rule No. 79.3. Amended by Rule No. 81-5 and Ordinance No. 82-137, Sec. 4)

2.05.030 Evidentiary Rules

(a) Evidence of a type commonly relied upon by reasonably prudent persons in conduct of their serious affairs shall be admissible.

(b) Irrelevant, immaterial or unduly repetitious evidence shall be excluded.

(c) All offered evidence, not objected to, will be received by the hearings officer subject to his/her power to exclude irrelevant, immaterial or unduly repetitious matter.

(d) Evidence objected to may be received by the hearings officer with rulings on its admissibility or exclusion to be made at the time a final order is issued.

(e) The burden of presenting evidence to support a fact or position in a contested case rests on the proponent of the fact or position.

(Rule No. 79-3)

2.05.035 Proposed Orders in Contested Case Other than Personnel Discharges

(a) Within 30 days of a hearing before a hearings officer in a contested case other than a personnel discharge, the hearings officer shall prepare and submit a proposed order together with the record compiled in the hearing, to the Ceouncil. The proposed order, including Findings of Fact and Conclusions of Law, shall be served upon the parties.

(b) Within seven (7) days of the release of the proposed order, the Chief Operating Officer ~~executive officer~~ shall mail notice to all parties of the date by which written exceptions to the proposed order must be filed. This shall be not less than 14 nor more than 21 days from the date notice of this deadline is mailed, unless otherwise agreed to by all parties. The proposed order and any exceptions received to it shall be forwarded to the Ceouncil of Metro ~~the Metropolitan Service District~~ for consideration at its next scheduled meeting at least two weeks after the deadline for filing exceptions.

The Ceouncil may, by majority vote, decide to consider objections received following the deadline established, but must allow at least two weeks between the date the exception is filed and the date the Ceouncil reviews it. Only parties may file exceptions, and exceptions may address only issues raised in the hearing. Upon approval of the Ceouncil, parties who have filed written exceptions may present oral argument in support of the exceptions, and other parties shall be given the opportunity to orally rebut exceptions made. Oral argument shall be limited to the specific objections raised in the written exceptions.

(c) A party may, in addition to filing written exceptions, file a written request to submit evidence that was not available or offered at the hearing provided for in Code Ssection 2.05.025. A written request to submit additional evidence must explain why the information was not provided at the hearing, and must demonstrate that such evidence meets the standards of Ssection 2.05.030 and would likely result in a different decision. Upon receipt of a written request to submit additional evidence, the Ceouncil shall:

- (1) Refuse the request; or
- (2) Remand the proceeding to the hearings officer for the limited purpose of receiving the new evidence and oral argument and rebuttal argument by the parties on the new evidence; or
- (3) If the nature of the new evidence to be submitted is such that remand would serve no useful purpose, proceed to hear and consider the evidence and argument and rebuttal from the parties on the evidence.

Requests to submit new evidence must be filed by the deadline for filing written exceptions established pursuant to Ssection 2.05.035(b), unless circumstances regarding the evidence preclude doing so.

(d) If a new hearing is granted in accordance with subsection (c)(2) of this section, the hearings officer shall within seven (7) days of the hearing serve upon all of the parties and forward to the Council a new proposed order in accordance with the provisions of Code Section 2.05.035(a).

(Rule No. 79-3. Amended by Rule No. 82.5; Ordinance No. 82-137, Sec. 5; Ordinance No. 86-203, Sec. 2 and 3)

2.05.040 Proposed Orders in Contested Cases on Personnel Discharges

~~(a) Within seven days of a hearing on a personnel discharge, the hearings officer shall prepare and submit a proposed order together with the record compiled in the hearing to the executive officer. Said proposed order shall include rulings on evidence, findings of fact, conclusions of law and a proposed action.~~

~~(b) Within seven days of receipt of the proposed order, the executive officer shall issue a final order pursuant to section 5.02.045 of these rules.~~

(Rule No. 79-3. Amended by Rule No. 81-5; Ordinance No. 82-137, Sec. 6; Ordinance No. 86-203, Sec. 2 and 3)

2.05.042 Ex Parte Communications to the Hearings Officer

The hearings officer shall place on the record a statement of the substance of any written or oral ex parte communication on a fact in issue made to the officer during the pendency of the proceeding. Parties shall, upon request, be given a reasonable opportunity to rebut such ex parte communications.

(Rule No. 81-5. Amended by Ordinance No. 82-137, Sec. 7)

2.05.043 Ex Parte Communications to the Councilors

Councilors shall place on the record a statement of the substance of any written or oral ex parte communications on a fact in issue made to a Councilor during review of a contested case. Parties shall, upon request, be given a reasonable opportunity to rebut such ex parte communications.

(Rule No. 81-5. Amended by Ordinance No. 82-137, Sec. 8)

2.05.045 Final Orders in Contested Cases, Notification, Review

(a) Except as provided in subsection (c) of this section, the Council or Chief Operating Officer's executive officer's decision in a contested case shall be adopted by a final order. Final orders in contested cases shall be in writing and shall include the following:

- (1) Rulings on admissibility of offered evidence.
- (2) Findings of Fact -- those matters which are either agreed upon as fact or which, when disputed, are determined by the fact finder, on substantial evidence, to be fact over contentions to the contrary.

(3) Conclusion(s) of Law -- applications of the controlling law to the facts found and legal results arising therefrom.

(4) The action taken by ~~the district~~ Metro as a result of the Findings of Fact and Conclusions of Law.

(b) Upon receipt of a proposed order and consideration of exceptions, the Council shall adopt the proposed order or revise or replace the findings or conclusions in a proposed order or remand the matter to the hearings officer. No written exceptions need be received on a revised or replaced order except on new evidence presented to the hearings officer on remand. Parties shall be given an opportunity to comment orally to the Council on a revised order.

(c) When the proposed order in a contested case necessitates the adoption of an ordinance, staff shall prepare an ordinance for Council adoption. The ordinance shall incorporate the rulings, findings and conclusions required by subsection (a) or (b) of this section. An ordinance adopted pursuant to this subsection shall, upon adoption, be considered the final order subject to judicial review.

(d) Parties to contested cases and their attorneys of record shall be served a copy of the final order. Parties shall be notified of their right to judicial review of the order.

(e) Final orders in cases other than on Urban Growth Boundary amendments shall be approved by a majority of a quorum of the Council.

(f) Final approval of An ordinance to approve a petition for an amendment of the Urban Growth Boundary shall be made by the adoption of an ordinance pursuant to Code section 2.01.070. A motion to deny such a petition shall require the approval of at least six members of the council, and six votes shall be sufficient to approve a motion to deny notwithstanding a tie vote.

(Rule No. 79-3. Amended by Rule No. 81-5; Ordinance No. 82-137, Sec. 9; Ordinance No. 85-190, Sec. 1; Ordinance No. 86-203, Sec. 3)

2.05.046 Motions

(a) Unless these rules or applicable statutes or ordinances provide another form of application, a request for an order or relief from the hearings officer or the Council shall be made by serving and filing a motion in writing for such order or relief.

(b) Parties shall submit all motions without oral argument unless otherwise directed by the hearings officer or the Council. The motion shall show proof of service on all opposing parties in accordance with Code Section 2.05.047.

(Rule No. 81-5)

2.05.047 Service of Documents on All Parties

All documents, written correspondence or other material filed with or submitted to the hearings officer or the Council shall be served on all parties. Any document filed with or submitted to the hearings officer or the Council shall contain proof of service on all parties.

(Rule No. 81-5)

2.05.050 Reconsideration, Rehearing

(a) A party may file a petition for reconsideration or rehearing on a final order with ~~the districtMetro~~ within ten (10) days after the order is issued. ~~In the case of a personnel discharge, such petition shall be submitted to the executive officer. Other petitions shall be referred to the council.~~

(b) The petition shall set forth the specific ground or grounds for requesting the reconsideration or rehearing. The petition may be supported by a written argument.

(c) ~~The districtMetro~~ may grant a reconsideration petition if sufficient reason therefor is made to appear. If the petition is granted, an amended order shall be entered. The Council may allow oral or written argument by the parties on the reconsideration petition.

(d) ~~The districtMetro~~ may grant a rehearing petition if sufficient reason therefor is made to appear. The rehearing may be limited by ~~the districtMetro~~ to specific matters. If a rehearing is held an amended order shall be entered. Rehearings shall be held before the hearings officer who conducted the original hearing.

(e) If ~~the districtMetro~~ does not act on the petition within the 60th day following the date the petition was filed, the petition shall be deemed denied.

(Rule No. 79-3. Amended by Rule No. 81-5; Ordinance No. 82-137, Sec. 10)

Exhibit C
Metro Charter 2003 Amendments to Metro Code

CHAPTER 2.06

INVESTMENT POLICY—MOVED TO REVISED METRO CODE TITLE VII FINANCE

SECTIONS—TITLE

2.06.010	Scope
2.06.020	Objectives
2.06.030	Responsibility
2.06.040	Prudence
2.06.050	Investment Diversification
2.06.060	Competitive Selection of Investment Instruments
2.06.065	Monitoring the Portfolio
2.06.070	Qualifying Institutions
2.06.080	Banking Services (repealed Ord. 97-684 §1)
2.06.090	Safekeeping and Collateralization
2.06.100	Indemnity Clause
2.06.110	Comptroller
2.06.120	Accounting Method
2.06.130	Reporting Requirements
2.06.140	Performance Evaluation
2.06.150	Policy Adoption
2.06.160	Policy Re-adoption

Moved to revised Metro Code Title VII Finance

2.06.010 Scope

~~These investment policies apply to all cash related assets included within the scope of Metro's audited financial statements and held directly by Metro. Other than bond proceeds or other segregated revenues, the total of funds pooled for investments ranges from \$60 million to \$100 million with an average of \$80 million. Funds held and invested by trustees or fiscal agents are excluded from these policies; however, such funds are subject to the regulations established by the State of Oregon.~~

~~Funds of Metro will be invested in compliance with the provisions of ORS 294.035 through 294.048; ORS 294.125 through 294.155; ORS 294.810; and other applicable statutes. Investments will be in accordance with these policies and written administrative procedures. Investment of any tax exempt borrowing proceeds and of any debt service funds will comply with the 1986 Tax Reform Act provisions and any subsequent amendments thereto.~~

~~(Ordinance No. 90-365. Amended by Ordinance No. 97-684, Sec. 1)~~

2.06.020 Objectives

~~(a) Safety. Investments shall be undertaken in a manner that seeks to ensure the preservation of principal in the overall portfolio and security of funds and investments. For securities not backed by~~

the full faith and credit of the federal government, diversification is required in order that potential losses on individual securities would not exceed the income generated from the remainder of the portfolio.

— (b) — Liquidity. The investment officer shall assure that funds are constantly available to meet immediate payment requirements including payroll, accounts payable and debt service.

— (c) — Yield. The investment portfolio shall be designed with the objective of regularly exceeding the average return on 90-day U.S. Treasury Bills. The investment program shall seek to augment returns above this level, consistent with risk limitations described in this policy and prudent investment principles.

Due to Metro's fiduciary responsibility, safety of capital and availability of funds to meet payment requirements are the overriding objectives of the investment program. Investment yield targets are secondary.

— (d) — Legality. Funds will be deposited and invested in accordance with statutes, ordinances and policies governing Metro.

(Ordinance No. 87-228, Sec. 3. Amended by Ordinance No. 90-365)

~~2.06.030 Responsibility~~

~~The executive officer is the investment officer of the district. The authority for investing Metro funds is vested with the investment officer, who, in turn, designates the investment manager to manage the day-to-day operations of Metro's investment portfolio, place purchase orders and sell orders with dealers and financial institutions, and prepare reports as required.~~

— (b) — Investment Advisory Board (IAB). There shall be an investment advisory board composed of five members.

— (1) — Terms of Service. The term of service for citizens appointed to the IAB shall be three calendar years. The term of appointment shall be staggered so that not more than two members' terms expire in any calendar year.

— (2) — Appointment. The investment officer shall recommend to the council for confirmation, the names of persons for appointment to the IAB.

— (3) — Duties. The IAB shall meet at least quarterly. The IAB will serve as a forum for discussion and act in an advisory capacity for investment strategies, banking relationships, the legality and probity of investment activities and the establishment of written procedures for the investment operations.

— (e) — Quarterly Reports. At each quarterly meeting, a report reflecting the status of the portfolio will be submitted for review and comment by at least 3 members of the IAB. Discussion and comment on the report will be noted in minutes of the meeting. If concurrence is not obtained, notification will be given to the investment officer including comments by the IAB.

(Ordinance No. 87-228, Sec. 1. Amended by Ordinance No. 90-365; Ordinance No. 94-538; Ordinance No. 97-684, Sec. 1)

2.06.040 Prudence

The standard of prudence to be applied by the investment officer shall be the "prudent investor" rule: "Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived." The prudent investor rule shall be applied in the context of managing the overall portfolio.

(Ordinance No. 87-228, Sec. 1. Amended by Ordinance No. 90-365)

2.06.050 Investment Diversification

(Definitions of terms and applicable authorizing statutes are listed in the "Summary of Investment Available to Municipalities" provided by the state treasurer.) The investment officer will diversify the portfolio to avoid incurring unreasonable risks inherent in or investment in specific instruments, individual financial institutions, or markets.

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	Percent of Portfolio (Maximum)
(1) U.S. Treasury Bills, Notes, Bonds, Strips and/or State and Local Government Series (SLGS)	100%
(2) Securities of U.S. Government Agencies and U.S. Government Sponsored Enterprises	100%
(3) Certificates of Deposit (CD) Commercial Banks in Oregon insured by FDIC	100%
(4) Repurchase Agreements (Repo's) Maximum 90-day maturity	50%
(5) Banker's Acceptances (BA)	100%
(6) Commercial Paper (CP) Issued by a financial institution, commercial, industrial or utility business enterprise.	35%

For a corporation headquartered in Oregon; A-1 and P-1 only, maximum 90-day maturity; A-2 and P-2, A-1/P-2, or A-2/P-1 only, maximum 60-day maturity.

For a corporation headquartered outside Oregon; A-1 and P-1 only; maximum 90-day maturity

(7) State of Oregon and Local Government Securities with A ratings or better 25%

(8) State of Oregon Investment Pool 100%

(9) Market Interest Accounts and Checking Accounts Minimum necessary for daily cash management efficiency

(b) Diversification by Financial Institution

(1) Qualified Institutions. The investment officer shall maintain a listing of financial institutions and securities dealers recommended by the IAB. Any financial institution or securities dealer is eligible to make an application to the investment officer upon due consideration and approval hold available funds.

A listing of the eligible institutions shall be held by the investment officer and provided any fiduciary agent or trustee.

(2) Diversification Requirements. The combination of investments in Certificates of Deposit and Banker's Acceptances as outlined individually at 2.06.050(b)(2)(A) and (C) invested with any one institution shall not exceed 25 percent of the total available funds or 15 percent of the equity of the institution.

(A) Certificates of Deposit - Commercial Banks

No more than the lesser of 25 percent of the total available funds or 15 percent of the equity of the financial institution may be invested with any one institution.

(B) Repurchase Agreements

May be purchased from any qualified institution provided the master repurchase agreement is effective and the safekeeping requirements are met. All repurchase agreements will be fully collateralized by general obligations of the U.S. Government, the agencies and instrumentalities of the United States or enterprises sponsored by the United States government, marked to market.

The investment officer shall not enter into any reverse repurchase agreements.

~~(C) Banker's Acceptances~~

~~Must be guaranteed by, and carried on the books of, a qualified financial institution whose short-term letter of credit rating is rated in the highest category by one or more nationally recognized statistical rating organizations.~~

~~Qualified institution means:~~

- ~~(i) A financial institution that is located and licensed to do banking business in the State of Oregon; or~~
- ~~(ii) A financial institution located in the States of California, Idaho, or Washington that is wholly owned by a bank holding company that owns a financial institution that is located and licensed to do banking business in the State of Oregon.~~

~~No more than the lesser of 25 percent of the total available funds or 15 percent of the equity of the financial institution may be invested with any one institution.~~

~~Corporate Paper~~

~~No more than 5 percent of the total portfolio with any one corporate entity.~~

~~(E) State and Local Government Securities~~

~~No more than 15 percent of the total portfolio in any one local entity.~~

~~(F) State of Oregon Investment Pool~~

~~Not to exceed the maximum amount established in accordance with ORS 294.810, with the exception of pass-through funds (in and out within 10 days).~~

~~(G) U.S. Government Agencies~~

~~Securities of U.S. Government Agencies and U.S. Government Sponsored Enterprises as defined under ORS 294.035 and/or 294.040. No more than 40 percent of the total portfolio in any one agency.~~

~~(H) U.S. Government Treasuries~~

~~No limitations~~

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~~(c) Diversification by Maturity. Only investments which can be held to maturity shall be purchased. Investments shall not be planned or made predicated upon selling the security prior to maturity. This restriction does not prohibit the use of repurchase agreements under ORS 294.135(2). This policy shall not preclude the sale of securities prior to their maturity in order to improve the quality, net yield, or maturity characteristic of the portfolio.~~

~~Maturity limitations shall depend upon whether the funds being invested are considered short-term or long-term funds. All funds shall be considered short-term except those reserved for capital projects (e.g., bond sale proceeds).~~

~~(1) Short Term Funds~~

~~(A) Investment maturities for operating funds and bond reserves shall be scheduled to meet projected cash flow needs. Funds considered short-term will be invested to coincide with projected cash needs or with the following serial maturity:~~

~~25% minimum to mature under three months~~

~~75% minimum to mature under 18 months~~

~~100% minimum to mature under five years~~

~~(B) Investments may not exceed five years. Investment maturities beyond 18 months may be made when supported by cash flow projections which reasonably demonstrate that liquidity requirements will be met. Maturities beyond 3 months will be limited to direct U.S. Treasury obligations.~~

~~(2) Long Term Funds~~

~~(A) Maturity scheduling shall be timed according to anticipated need. ORS 294.135 permits investment beyond 18 months for any bond proceeds or funds accumulated for any purpose which the district is permitted by state law to accumulate and hold funds for a period exceeding one year. The maturities should be made to coincide as nearly as practicable with the expected use of the funds.~~

~~(B) Investment of capital project funds shall be timed to meet projected contractor payments. The drawdown schedule used to guide the investment of the funds shall evidence the approval of the investment officer and review of the Chief Financial Officer.~~

~~(d) Total Prohibitions. The investment officer may not make a commitment to invest funds or sell securities more than 14 business days prior to the anticipated date of settlement of the purchase or sale transaction, and may not agree to invest funds or sell securities for a fee other than interest. Purchase of standby or forward commitments of any sort are specifically prohibited.~~

~~(e) Adherence to Investment Diversification. Diversification requirements must be met on the day an investment transaction is executed. If due to unanticipated cash needs, investment maturities or marking the portfolio to market, the investment in any security type, financial issuer or maturity~~

spectrum later exceeds the limitations in the policy, the investment officer is responsible for bringing the investment portfolio back into compliance as soon as is practical.

(Ordinance No. 87-228, Sec. 1. Amended by Ordinance No. 90-365; Ordinance No. 93-501; Ordinance No. 97-684, Sec. 1; Ordinance No. 98-734, Sec. 1)

2.06.060 Competitive Selection of Investment Instruments

~~Before the investment officer invests any surplus funds, a competitive offering solicitation shall be conducted orally. Offerings will be requested from financial institutions for various options with regards to term and instrument. The investment officer will accept the offering which provides the highest rate of return within the maturity required and within the prudent investor rule. Records will be kept of offerings and the basis for making the investment decision.~~

(Ordinance No. 87-228, Sec. 1. Amended by Ordinance No. 90-365; Ordinance No. 97-684, Sec. 1)

2.06.065 Monitoring the Portfolio

~~The investment manager will routinely monitor the contents of the portfolio comparing the holdings to the markets, relative values of competing instruments, changes in credit quality, and benchmarks. If there are advantageous transactions, the portfolio may be adjusted accordingly.~~

(Ordinance No. 97-684, Sec. 1)

2.06.070 Qualifying Institutions

~~The investment officer shall maintain a listing of all authorized dealers and financial institutions which are approved for investment purposes. Written procedures and criteria for selection of financial institutions will be established by the investment officer. Financial institutions must have a branch in Oregon. Any firm is eligible to apply to provide investment services to Metro and will be added to the list if the selection criteria are met. Additions or deletions to the list will be made by the investment officer and reviewed by the IAB. At the request of the investment officer, the firms performing investment services for Metro shall provide their most recent financial statements or Consolidated Report of Condition (call report) for review. Further, there should be in place, proof as to all the necessary credentials and licenses held by employees of the broker/dealers who will have contact with Metro as specified by but not necessarily limited to the National Association of Securities Dealers (NASD), Securities and Exchange Commission (SEC), etc. At minimum, the investment officer and the IAB shall conduct an annual evaluation of each firm's qualifications to determine whether it should be on the authorized list.~~

~~Securities dealers not affiliated with a Qualified Financial Institution, as defined in ORS 294.035, will be required to have headquarters located in the State of Oregon, Washington or Idaho and, if not headquartered in the State of Oregon, to have an office located in Oregon. Notwithstanding the above, securities dealers who are classified as primary dealers with the New York Federal Reserve Bank are also eligible.~~

(Ordinance No. 87-228, Sec. 1. Amended by Ordinance No. 90-365; Ordinance No. 97-684, Sec. 1; Ordinance No. 98-790, Sec. 1.)

2.06.090 Safekeeping and Collateralization

All securities purchased pursuant to this investment policy will be delivered by either book entry or physical delivery to a third party for safekeeping by a bank designated as custodian. Purchase and sale of all securities will be on a payment versus delivery basis. The trust department of the bank designated as custodian will be considered to be a third party for the purposes of safekeeping of securities purchased from that bank. The custodian shall issue a safekeeping receipt to Metro listing the specific instrument, rate, maturity and other pertinent information.

Delivery versus payment will also be required for all repurchase transactions and with the collateral priced and limited in maturity in compliance with ORS 294.035(11).

Notwithstanding the preceding, an exception to the delivery versus payment policy is made when purchasing State and Local Government Series Securities (SLGS) from the United States Treasury's Bureau of Public Debt to satisfy arbitrage yield restriction requirements of the Internal Revenue Code for tax-exempt bond issues.

Deposit type securities (i.e., Certificates of Deposit) shall be collateralized through the state collateral pool as required by ORS 295.015 and ORS 295.018 for any amount exceeding FIDIC coverage, recognizing that ORS 295.015 requires only 25 percent collateralization and ORS 295.018 requires 100 percent collateralization when the institution is notified by the state treasurer.

(Ordinance No. 87-228, Sec. 1. Amended by Ordinance No. 97-684, Sec. 1; Ordinance No. 01-932, Sec. 1)

2.06.100 Indemnity Clause

(a) Metro shall indemnify the investment officer, chief financial officer, investment manager, staff and the IAB members from personal liability for losses that might occur pursuant to administering this investment policy.

(b) The investment officer, acting in accordance with written procedures and exercising due diligence, shall not be held personally responsible for a specific security's credit risk or market price changes, provided that these deviations are reported to the council as soon as practicable.

(Ordinance No. 87-228, Sec. 1. Amended by Ordinance No. 97-684, Sec. 1)

2.06.110 Controls

The investment officer shall maintain a system of written internal controls, which shall be reviewed annually by the IAB and the independent auditor. The controls shall be designed to prevent loss of public funds due to fraud, error, misrepresentation or imprudent actions.

Metro's independent auditor at least annually shall audit investments according to generally accepted auditing standards and this ordinance.

(Ordinance No. 90-365.)

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2.06.120 Accounting Method

Metro shall comply with all required legal provisions and Generally Accepted Accounting Principles (GAAP). The accounting principles are those contained in the pronouncements of authoritative bodies, including but not necessarily limited to, the American Institute of Certified Public Accountants (AICPA); the Financial Accounting Standards Board (FASB); and the Government Accounting Standards Board (GASB).

(Ordinance No. 90-365. Amended by Ordinance No. 97-684, Sec. 1)

2.06.130 Reporting Requirements

(a) A transaction report shall be prepared by the investment manager not later than one business day after the transaction, unless a trustee, operating under a trust agreement, has executed the transaction. The trustee agreement shall provide for a report of transactions to be submitted by the trustee on a monthly basis.

(b) Quarterly reports shall be prepared for each regular meeting of the IAB to present historical investment information for the past 12-month period. Copies shall be provided to the executive officer and the Metro council.

(Ordinance No. 90-365. Amended by Ordinance No. 97-684, Sec. 1)

2.06.140 Performance Evaluation

The overall performance of Metro's investment program is evaluated quarterly by the IAB using the objectives outlined in this policy. The quarterly report which confirms adherence to this policy shall be provided to the Metro council as soon as practicable.

The performance of Metro's portfolio shall be measured by comparing the average yield of the portfolio at month end against the performance of the 90-day U.S. Treasury Bill issue maturing closest to 90 days from month end and the Local Government Investment Pool's monthly average yield.

(Ordinance No. 90-365. Amended by Ordinance No. 97-684, Sec. 1)

2.06.150 Policy Adoption

This investment policy must be reviewed by the IAB and the Oregon Short-Term Fund Board prior to adoption by the Metro council. Adoption of this policy supersedes any other previous council action or policy regarding Metro's investment management practices.

(Ordinance No. 90-365. Amended by Ordinance No. 97-684, Sec. 1)

2.06.160 Policy Readoption

This policy shall be subject to review and readoption annually by the Metro council in accordance with ORS 294.135.

(Ordinance No. 90-365, Readopted by Ordinance No. 93-501; Ordinance No. 94-555, Sec. 1; Ordinance No. 97-684, Sec. 1; Ordinance No. 98-734, Sec. 1; Ordinance No. 99-799, Sec. 1; Ordinance No. 00-856, Sec. 1; Ordinance No. 01-932, Sec. 1.)

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Exhibit D
Metro Charter 2003 Amendments to Metro Code

CHAPTER 2.07

ONE PERCENT FOR ART PROGRAM

SECTIONS	TITLE
2.07.010	Short Title
2.07.020	Definitions
2.07.030	Policy
2.07.040	Dedication
2.07.050	Ownership
2.07.060	Approvals
2.07.070	Implementation

2.07.010 Short Title

This ordinance shall be known as the "~~Metropolitan Service District~~ One Percent for Art Program" and may be so cited and pleaded and shall be referred to herein as "this program."

(Ordinance No. 87-215, Sec. 1)

2.07.020 Definitions

(a) "Construction cost" means budgeted construction cost, excluding design, engineering and administrative costs, cost for fees and permits, and indirect costs, such as interest during construction, land acquisition, relocation, demolition, street and utility, construction appurtenant to the main project, advertising and legal fees.

(b) "Council" means the Council of the Metropolitan Service District~~Metro~~.

~~(c) "District" means the Metropolitan Service District.~~

(cd) "Metro District facility" means those facilities constructed at the direction of the ~~district~~Metro.

(de) "Major ~~district~~ construction project" ("Project") means projects for construction, reconstruction or major renovation of a ~~district~~ Metro facility with an estimated construction cost of \$100,000 or more. "Major district construction project" does not include emergency work, minor alteration, ordinance repair or maintenance necessary to preserve a facility.

(Ordinance No. 87-215, Sec. 2)

2.07.030 Policy

The Ceouncil finds that it is appropriate in major ~~district~~-construction projects that one ~~1~~ percent of the construction cost of such projects be devoted to the acquisition and display of art to be integral to, displayed in, upon, or in proximity to the project, or capable of display in other ~~district~~Metro facilities which the Ceouncil deems appropriate.

These funds shall be expended on art which is of redeeming quality, advances public understanding of art, and enhances the aesthetic quality of the location which will be the site of works of art funded by these funds. The goal is to select and display art which represents the best in artistic skills and to encourage public dialogue and understanding of works of art.

(Ordinance No. 87-215, Sec. 3)

2.07.040 Dedication

One percent of the construction cost of major ~~district~~-construction projects shall be set aside for the acquisition of art, unless the Ceouncil, following a public hearing, by resolution exempts the project from the One Percent Program. Such an exemption must be approved prior to or at the time a contract for an architect has been entered into, or prior to or at the time a contract to participate financially in a project is entered into by the Ceouncil, whichever is earlier.

Works of art may be integral to, or displayed in, upon or adjacent to the project, or capable of display in other ~~district~~Metro facilities.

The Ceouncil may order works of art removed or relocated if it finds that doing so is in keeping with the purposes of this ordinance.

The Ceouncil may determine to use contributed funds in addition to or in lieu of the monies raised for the construction costs.

(Ordinance No. 87-215, Sec. 1)

2.07.050 Ownership

All art acquired pursuant to this ordinance shall be acquired in the name of the Metro Metropolitan Service District and title shall vest in Metro~~the Metropolitan Service District~~.

(Ordinance No. 87-215, Sec. 5)

2.07.060 Approvals

Contracts brought forward under this program shall be approved in accordance with the Metro Code.

(Ordinance No. 87-215, Sec. 6)

2.07.070 Implementation

The Council shall adopt by resolution guidelines for implementing this program. The guidelines shall be interpreted in such a manner to fully carry out the purposes of this ordinance.

(Ordinance No. 87-215, Sec. 7)

Exhibit E
Metro Charter 2003 Amendments to Metro Code

CHAPTER 2.09

CONTRACTOR'S BUSINESS LICENSE PROGRAM

SECTIONS	TITLE
2.09.010	Purpose and Authority
2.09.020	Definitions
2.09.030	Eligibility and License Issuance
2.09.040	Denial of Issuance
2.09.050	Exemptions
2.09.060	License Applicability
2.09.070	Application for License
2.09.080	Application Contents
2.09.090	Validity of the License
2.09.100	Fee
2.09.110	License
2.09.120	Renewal
2.09.130	Revocation
2.09.140	Appeal of a Revoked License or Denied Application
2.09.150	Penalty
2.09.160	Distribution of Fees
2.09.170	Regulations

2.09.010 Purpose and Authority

(a) The purpose of this ordinance is to provide a procedure for ~~the district~~ Metro to issue a contractor's business license, establish a fee for the license, and distribute to participating jurisdictions the fees collected by ~~the district~~ Metro.

(b) The authority for the Metropolitan Service District to issue a contractor's business license, establish requirements for the issuance of the license, charge a fee for the license, receive reimbursement for administrative expenses incurred in carrying out this program, determine the dollar amount of residential building permits issued within the ~~district~~ Metro Area and distribute the fees to participating jurisdictions is granted by ORS 701.015.

(Ordinance No. 88-248, Sec. 1. Amended by Ordinance No. 91-411, Sec. 2)

2.09.020 Definitions

(a) "Contractor" or "Landscape contractor" has the meaning given under ORS 701.005, and ORS 701.015(6)(c)(d), respectively.

(b) "Contractor business license" means a document issued by ~~the district~~Metro to a contractor or landscape contractor that permits the contractor or landscape contractor to conduct business in participating jurisdictions.

(c) "Contractor's business license fee" means any fee paid to ~~the district~~Metro for the issuance of a contractor's business license.

(d) "Business license tax" means any fee paid by a contractor or landscape contractor to a city or county for any form of license that is required by the city or county to conduct business in that jurisdiction. The term does not include any franchise fee or privilege tax imposed by a participating jurisdiction upon a public utility under ORS 221.420 or 221.450 or any provision of a city charter.

(e) "Conducting business" means to engage in any activity in pursuit of gain including activities carried on by a contractor or landscape contractor through officers, agents and employees as well as activities carried on by a contractor or landscape contractor on that contractor's or landscape contractor's own behalf.

(f) "Participating jurisdiction" means any city or county located wholly or partly within the boundaries of ~~the district~~Metro that has a requirement for a contractor or landscape contractor to obtain a business license to conduct business in that jurisdiction, and the fee for this license is not based on or measured by adjusted net income.

(g) "Principal place of business" means the location of the central administrative office in this state of a contractor or landscape contractor conducting business in ~~this district~~the Metro Area.

(h) "Residential building permit" means any permit issued for the construction or alteration of a residential structure ~~issued by a governing body authorized under ORS 455.150.~~

(Ordinance No. 88-248, Sec. 1. Amended by Ordinance No. 91-411, Sec. 3)

2.09.030 Eligibility and License Issuance

Any contractor or landscape contractor wishing to conduct business in any participating jurisdiction shall be issued a contractor's business license if subsections (a) and (b) are met by the contractor or landscape contractor:

(a) Presents proof to ~~the district~~Metro that the contractor or landscape contractor has paid the business license tax imposed by the city when:

- (1) The principal place of business of the contractor or landscape contractor is within the city; or
- (2) Presents proof that contractor or landscape contractor has paid the business tax imposed by the city because the contractor or landscape contractor derives gross receipts of \$125,000 or more from business conducted within the boundaries of the city during the calendar year for which the business license tax is owed.

- (b) (1) Presents proof that the contractor or landscape contractor is currently registered with the State of Oregon Construction Contractor's Board or the State of Oregon Landscape Contractor's Board;
- (2) Completes an application as required by Section 2.09.070 of this chapter;
- (3) Pays the contractor's business license fee established in Section 2.09.100 of this chapter; and
- (4) Meets all other license requirements provided under this chapter.

(Ordinance No. 88-248, Sec. 1. Amended by Ordinance No. 91-411, Sec. 4)

2.09.040 Denial of Issuance

- (a) ~~The district~~ Metro shall refuse to issue a license for any one of the following reasons:
 - (1) Fraud, misrepresentation or false statement made in the applications at the time of application.
 - (2) Failure to present proof at the time of application that the applicant has met all other license requirements provided under this chapter.
 - (3) Failure to pay the contractor's business license fee established under Section 2.09.100 of this chapter.

(b) Notice of denial of a application shall be given in writing to the applicant setting forth the grounds of the denial. Such notice shall be mailed to the applicant at the address that appears on the application for the license. This action of denial may be appealed as provided in Section 2.09.140 of this chapter.

(Ordinance No. 88-248, Sec. 1. Amended by Ordinance No. 91-411, Sec. 5)

2.09.050 Exemptions

(a) A contractor or landscape contractor that is required to be licensed by a city within the boundaries of ~~the district~~ Metro that imposes a business license tax based on or measured by adjusted net income earned by conducting business within the city may not obtain and possess a contractor's business license in lieu of that jurisdiction's business license tax or business.

(b) Certain persons furnishing materials, improving personal property, owner builders, or persons otherwise licensed may be exempt from registration under this chapter under ORS 701.010.

(Ordinance No. 88-248, Sec. 1. Amended by Ordinance No. 91-411, Sec. 6)

2.09.060 License Applicability

(a) If a contractor or landscape contractor has paid any business license tax imposed by participating jurisdictions in which the contractor or landscape contractor has an office the contractor or landscape contractor may apply for a contractor's business license from ~~the district~~Metro.

(b) If a contractor or landscape contractor has been issued a contractor's business license by ~~the district~~Metro, the contractor or landscape contractor may conduct business without any other business license in participating jurisdictions in which the contractor or landscape contractor:

- (1) Has no office;
- (2) Has not derived gross receipts of \$250,000 or more from business conducted within the boundary of the participating jurisdiction during the calendar year for which the business license is owed.

(Ordinance No. 88-248, Sec. 1. Amended by Ordinance No. 91-411, Sec. 7; Ordinance No. 99-817A, Sec. 1.)

2.09.070 Application for License

To obtain a contractor's business license, a contractor or landscape contractor must make application in person or by mail to ~~the district~~Metro upon forms provided and prescribed by ~~the district~~Metro. The completed application shall be filed with the fee described in Section 2.09.100 of this chapter with ~~the district~~Metro before a contractor or landscape contractor is issued a contractor's business license.

(Ordinance No. 88-248, Sec. 1. Amended by Ordinance No. 91-411, Sec. 8)

2.09.080 Application Contents

Each application for a contractor's business license received by ~~the district~~Metro shall contain:

- (a) The name of the business making application.
- (b) The name of a contact person in the business.
- (c) The address of the principal place of business.
- (d) The telephone number of the business.
- (e) State of Oregon Construction Contractor's Board registration number or State Landscape Contractor's Board.
- (f) Date of application.
- (g) The signature of the contractor or landscape contractor making the application.
- (h) Such other information as ~~the district~~Metro shall determine.

(Ordinance No. 88-248, Sec. 1. Amended by Ordinance No. 91-411, Sec. 9)

2.09.090 Validity of the License

(a) The license shall be valid from the date of issuance to the first day of the month in the following year; if issued after the middle of any month, the license shall be valid to the first day of the following month of that year. The license shall not be issued for a portion of a year.

(b) Before the expiration of the contractor's business license, ~~the district~~ Metro shall notify the contractor or landscape contractor to whom the license was issued of the approaching expiration. Within 90 days prior to the expiration date, the notice shall be mailed to the contractor or landscape contractor to whom the license was issued at the address shown on the original application for the license maintained by ~~the district~~ Metro.

(c) ~~The district~~ Metro is not required to notify the contractor or landscape contractor of an approaching expiration if the contractor's or landscape contractor's license has been revoked under Section 2.09.130 of this chapter, or if the contractor or landscape contractor has failed to notify ~~the district~~ Metro of a change of address.

(Ordinance No. 88-248, Sec. 1. Amended by Ordinance No. 91-411, Sec. 10)

2.09.100 Fee

The fee to be paid by any contractor or landscape contractor for a contractor's business license is \$135 and is non-refundable.

(Ordinance No. 88-248, Sec. 1. Amended by Ordinance No. 91-411, Sec. 11; Ordinance No. 99-817A, Sec. 2.)

2.09.110 License

Each contractor's business license issued under this chapter shall state upon its face the following:

- (a) The name of the licensee.
- (b) The address of the licensee.
- (c) A unique license number established by ~~the district~~ Metro.
- (d) The date of issuance.
- (e) The date of expiration.
- (f) Such other information as ~~the district~~ Metro shall determine.

(Ordinance No. 88-248, Sec. 1. Amended by Ordinance No. 91-411, Sec. 12)

2.09.120 Renewal

Each contractor or landscape contractor requesting renewal of a license must make application, as described in Section 2.09.070 of this chapter, to ~~the district~~Metro upon forms provided and prescribed by ~~the district~~Metro. The completed application for renewal of the contractor's business license shall be filed with the fee described in Section 2.09.100 of this chapter with ~~the district~~Metro before a renewal license is issued.

(Ordinance No. 88-248, Sec. 1. Amended by Ordinance No. 91-411, Sec. 14)

2.09.130 Revocation

(a) A license issued under this chapter may be revoked by ~~the district~~Metro, after notice, for any of the following reasons:

- (1) Fraud, misrepresentation or false statement contained in the application for the license.
- (2) Fraud, misrepresentation or false statement made in the course of carrying out the licensed activity.
- (3) Conducting the licensed activity in an unlawful manner or in such a manner as to constitute a menace to the health, safety or general welfare of the public.
- (4) Failure to comply with the ordinances and resolutions of a jurisdiction within the boundaries of ~~the district~~Metro in which the license holder is conducting business authorized by this license.

(b) Notice of revocation of a license shall be given in writing to the licensee setting forth the grounds of the complaint. Such notice shall be mailed by certified mail at least 10 working days before the date of revocation to the licensee at the address that appears on the application for the license being revoked. Revocation shall be effective 10 working days after notice of revocation.

(Ordinance No. 88-248, Sec. 1. Amended by Ordinance No. 91-411, Sec. 15)

2.09.140 Appeal of a Revoked License or Denied Application

Any contractor or landscape contractor aggrieved by the action of ~~the district~~Metro in denying an application for or revocation of a contractor's business license is entitled to appeal action under the provisions of Metro Code chapter 2.05.

(Ordinance No. 88-248, Sec. 1. Amended by Ordinance No. 91-411, Sec. 16)

2.09.150 Penalty

Any contractor or landscape contractor who fails to comply with or violates any provision of this chapter is subject to penalties under Section 1.01.110 of this Code. In the event that a provision of this chapter is

violated by a firm or corporation, the officer or contractor or landscape contractor responsible for the violation shall be subject to the penalty provided in Section 1.01.110 of this Code.

(Ordinance No. 88-248, Sec. 1. Amended by Ordinance No. 91-411, Sec. 17)

2.09.160 Distribution of Fees

The ~~district~~Metro shall distribute the contractor's business license fees collected by ~~the district~~Metro under this chapter to participating jurisdictions after ~~the district~~Metro has received reimbursement for administrative expenses incurred in carrying out the provisions of this chapter. At least once a year, each participating jurisdiction shall receive a share of the contractor's business license fees collected by ~~the district~~Metro based on a ratio of the number of residential building permits issued by each participating jurisdiction to the total number of residential building permits issued during that year by all participating jurisdictions.

(Ordinance No. 88-248, Sec. 1. Amended by Ordinance No. 91-411, Sec. 18)

2.09.170 Regulations

The Chief Operating Officer ~~executive officer~~ may establish such other contractor's business license regulations, not inconsistent with this chapter, as may be necessary and expedient.

(Ordinance No. 88-248, Sec. 1. Amended by Ordinance No. 91-411, Sec. 19)

Exhibit F
Metro Charter 2003 Amendments to Metro Code

CHAPTER 2.11

GOVERNMENT RELATIONS – REPEAL CHAPTER 2.11

SECTIONS — TITLE

2.11.010 — Legislative Representative

2.11.010 Legislative Representative

~~The legislative representative shall be appointed by the executive officer, and subject to confirmation by the council, shall have the following duties:~~

- ~~(a) Responsibility for managing the district's state legislative program including:~~
- ~~(1) Assembling the district's legislative program for review and approval by the council following a process established by the council;~~
 - ~~(2) Ensure district representation before legislative committees with individual legislators both during a legislative session and in interim periods and with other interested persons;~~
 - ~~(3) Development and implementation of a system to monitor and inform the council and executive officer of district related legislation; and~~
 - ~~(4) Preparation of a final legislative report analyzing district related legislation.~~
 - ~~(5) Responsibility for communicating district programs and policies to local, state and federal governmental officials, and task forces, commissions, and rule-making bodies.~~
 - ~~(6) Responsibility to monitor and communicate to the council and executive officer programs and policies of other governments and special interest groups which affect or impact functions or activities of the district.~~

~~(d) The legislative representative of Metro shall not represent or advocate the position of any single Metro elected official or group of elected officials. A legislative representative shall advocate only on matters which have been approved or adopted by the Metro council or any task force or committee authorized by the council to represent the council on legislative matters and which have been approved by the executive officer. For any matter in which the council or any task force or committee~~

~~authorized to represent the council on legislative matters and the executive officer disagree, a legislative representative shall not represent or advocate for either the Metro council or the executive officer.~~

~~(Ordinance No. 90-369, Sec. 1. Amended by Ordinance No. 95-591, Sec. 1)~~

Repeal

Exhibit G
Metro Charter 2003 Amendments to Metro Code

CHAPTER 2.12

OFFICE OF CITIZEN INVOLVEMENT

SECTIONS	TITLE
2.12.010	Creation and Purpose
2.12.020	Establishment of Metro Committee for Citizen Involvement (repealed Ord. 00-860A §2)
2.12.030	Approval of Bylaws (repealed Ord. 00-860A §2)

2.12.010 Creation and Purpose

There is hereby created an Office of Citizen Involvement consisting of such employees as the council may provide. The purpose of the office of citizen involvement is to develop and maintain programs and procedures to aid communication between citizens of Metro and the Metro Ceouncil ~~and executive officer~~.

(Ordinance No. 93-479A, Sec. 2. Amended by Ordinance No. 98-755.)

Exhibit H
Metro Charter 2003 Amendments to Metro Code

CHAPTER 2.14

FACILITY-RELATED PARKING POLICY AND REGULATIONS

SECTIONS	TITLE
2.14.010	Purpose and Policy
2.14.020	Definitions
2.14.030	Parking Regulations

2.14.010 Purpose and Policy

The purpose of this chapter is to give policy direction as to the use and regulation of parking lots and structures at Metro regional facilities.

It is the policy of Metro to obtain maximum use of its regional facilities by assisting the public and Metro employees to gain access to, and use of those facilities, consistent with their planned use and with other region-wide Metro policies and objectives.

Parking is an integral part of the regional facility that enables the facility to fulfill its mission and objectives. The administration of parking lots and structures is carried out as part of the administration of the facility.

Parking lots and structures are for the use of the visitors to the facility, and Metro employees and staff assigned to the facilities. Metro may assist employees in gaining access to its regional facilities in a manner that promotes alternatives to the use of single occupancy motor vehicles.

Parking lots and structures may be operated in an entrepreneurial manner that generates revenues for Metro and its facilities.

Metro will work with appropriate local jurisdictions, to ensure that design and operation of its parking lots and structures is consistent with this parking policy.

(Ordinance No. 95-586. Amended by Ordinance No. 99-807A, Sec. 2.)

2.14.020 Definitions

For the purposes of this chapter unless the context requires otherwise the following terms shall have the meaning indicated:

(a) "Parking lot" means any Metro-owned or managed vehicle parking areas including but not limited to the Metro Washington Park Oregon Zoo parking lot, the Oregon Convention Center parking lot, parking at the Metro Regional Center, Portland Metropolitan Exposition Expo-Center, facilities

managed by the Metro Regional Parks and Greenspaces Department, or any other Metro-owned or operated parking facility, whether currently owned or managed or which Metro acquires or assumes responsibility hereafter.

(b) "Premises" mean any property, buildings or grounds which are either owned by Metro or which are the responsibility of Metro to manage.

(Ordinance No. 95-586)

2.14.030 Parking Regulations

The following rules shall govern all vehicles operated within the area of any Metro parking lot or Metro premises:

(a) It shall be a violation of this Code for the driver of any motor vehicle or bus to violate any legend or direction contained in any sign, signal, or marking now installed or hereafter installed upon any portion of Metro premises or Metro parking lot areas. Drivers of all vehicles shall drive in a careful and safe manner at all times, and shall comply with the signals and directions of the police or security officers and all posted traffic signs. Blocking of entrances, driveways, walks, loading platforms, fire lanes, or fire hydrants is prohibited. Parking without authority, or parking in an unauthorized locations or in locations reserved for other persons or contrary to the directions of posted signs, is prohibited.

(b) Metro or Metro ERC security personnel designated by the Chief Operating Officer ~~executive officer~~ as serving as a Metro parking patrol shall have the authority and duty to issue parking citations in accordance with subsection (c) of this section for a violation specified by subsection (a) of this section. The Metro parking patrol shall have no other police authority. Persons appointed as Metro parking patrol shall be special police officers of Metro. As special police officers, the Metro parking patrol personnel shall have authority to issue citations for violations of parking or non-moving traffic violations occurring on Metro premises or Metro parking lots, and particularly they shall have authority to issue citations. To the extent of the power and authority granted in this section, such personnel shall exercise full police power and authority.

(c) Parking Citations

(1) Form of citations. All parking citation forms used by the Metro parking patrol shall be in a form approved by the Metro Attorney general counsel of Metro and as issued by the District-Circuit Court for the State of Oregon for Multnomah County. Such parking citations shall, at a minimum, clearly state:

- (A) The date, place, and nature of the charge;
- (B) Time and place for the defendant's appearance in court;
- (C) Name of the issuing officer;
- (D) License number of the vehicle.

- (2) Procedure for issuing citations. Any citation form issued pursuant to this Code section shall either be delivered to the defendant or placed in a conspicuous place upon the vehicle involved in the violation. A duplicate original of the notice shall serve as the complaint in the case when it is filed with the court. In all other aspects, the procedure now provided by law in such cases shall be followed, but ORS 810.365 does not apply. The officer need not have observed the act of parking, but need only observe that the car was parked in violation of Metro Code.
- (3) Use of parking citation as complaint. The original of the traffic citation form when completed to meet the minimum requirements of ORS 221.340 may serve as a complaint, other forms of parking complaints are prohibited.
- (4) Citation form books issued by district circuit court. Citation form books for parking violations shall be provided by the ~~district~~ circuit court and upon request distributed to the Metro parking patrol officers who issue them.
- (5) List of parking citations. A list of the parking citations issued by Metro parking patrol officers shall be forwarded to the ~~district~~ circuit court within 24 hours.

(d) Person Responsible for Violation Charged by the Citation. The registered owner of the vehicle is prima facie responsible for the violation charged by the citation.

(Ordinance No. 95-586)

Exhibit I
Metro Charter 2003 Amendments to Metro Code

CHAPTER 2.15

METRO AUDITOR

SECTIONS	TITLE
2.15.010	Independence
2.15.020	Funding
2.15.030	Audit Schedule
2.15.040	Scope of Audits
2.15.050	Access to Records and Property
2.15.060	Audit Reports
2.15.070	Responses to Audit Reports
2.15.080	External Audits
2.15.090	Report of Irregularities

2.15.010 Independence

The Office of Auditor is an elected position defined by the ~~1992~~ Metro Charter with specific duties including the requirement to make continuous investigations of the operations of Metro. These investigations include financial and performance audits. The Auditor is required to make reports to the Metro Council ~~and executive officer~~ with recommendations for action.

The Office of Auditor consists of the Metro Auditor and such subordinate employees as the Council may provide. The Auditor has neither a management nor a policy role, rather the Auditor provides independent and objective information about Metro programs and services. The functions of the Auditor include financial as well as performance audits of all departments, offices, commissions, activities and operations of Metro and reports regarding compliance with adopted laws, policies and sound fiscal practices.

The Office of Auditor will adhere to government auditing standards in conducting its work and will be considered independent as defined by those standards. The Auditor will strive to assure maximum coordination between its function and the audit needs of Metro including the Council and Chief Operating Officer~~executive officer~~.

(Ordinance No. 95-610A, Sec. 1)

2.15.020 Funding

In each annual budget sufficient funds and personnel shall be provided by the Metro Council to carry out the responsibilities specified herein.

(Ordinance No. 95-610A, Sec. 1)

2.15.030 Audit Schedule

Each year the Auditor shall submit an annual plan to the Metro Council for review and comment. The plan shall include the departments, commissions, activities, functions and offices scheduled for audit during the year. This plan may be amended during the year as deemed necessary by the Auditor. However, additional resources not authorized in the annual budget may not be utilized without Council approval. Additionally, the Auditor may spontaneously initiate and conduct any other audit deemed necessary to undertake with notification to the Council prior to conducting the audit.

In the selection of audit areas, the determination of audit scope and timing of audit work, the Auditor should consult with federal, state, local jurisdiction auditors, and independent auditors so the desirable audit coverage is provided and audit effort may be properly coordinated.

The Metro Council ~~and executive officer~~ may request that the Auditor perform special audits that are not included in the annual audit schedule. Such audits will be considered by the Auditor taking into account available resources and audit priorities. The final decision regarding the audit schedule shall remain with the Auditor.

Special audit reports will be handled the same as regular audit reports, except that in personnel matters of a confidential nature, reporting on results may be limited to the Chief Operating Officer ~~executive officer~~ and the Council President ~~presiding officer of Metro~~.

(Ordinance No. 95-610A, Sec. 1)

2.15.040 Scope of Audits

(a) The Auditor shall conduct financial and performance audits to independently determine whether:

- (1) Activities and programs being implemented have been authorized by Metro Charter or Code, state law or applicable federal law regulations;
- (2) Activities and programs are being conducted as prescribed by the Council ~~and executive officer~~ to accomplish the objectives intended by the Metro Charter or Code, state law or applicable federal law or regulations;
- (3) Activities or programs efficiently and effectively serve the purpose intended by the Metro Charter, Code, state law or applicable federal law or regulations;
- (4) Activities and programs are being conducted and funds expended in compliance with applicable laws;
- (5) Revenues are being properly collected, deposited and accounted for;
- (6) Resources, including funds, property and personnel, are adequately safeguarded, controlled and used in a faithful, effective and efficient manner;

- (7) Financial and other reports are being provided that disclose fairly and fully all information that is required by law, that is necessary to ascertain the nature and scope of programs and activities and that is necessary to establish a proper basis for evaluating the programs and activities;
- (8) There are adequate operating and administrative procedures and practices, systems or accounting internal control systems and internal management controls which have been established by management; or
- (9) There are indications of fraud, abuse or illegal acts which need further investigation.

(b) Audits shall be conducted in accordance with government auditing standards applicable to financial and performance audits.

(Ordinance No. 95-610A, Sec. 1)

2.15.050 Access to Records and Property

All officers and employees of Metro shall furnish the Auditor with requested information and records within their custody regarding powers, duties, activities, organization, property, financial transactions and method of business required to conduct an audit or otherwise perform audit duties. In addition, they shall provide access for the Auditor to inspect all property, equipment and facilities within their custody. If such officers or employees fail to produce the aforementioned information, then the Auditor may cause a search to be made and exhibits to be taken from any book, paper or record of any such official or employee, excepting personal information, and every office having the custody of such records shall make a search and forward such requested exhibits to the Auditor.

(Ordinance No. 95-610A, Sec. 1)

2.15.060 Audit Reports

Each audit conducted by the Auditor shall result in a written report. These final audit reports shall be made available to the public. The final audit report will include the written responses of the audited entity before it is released to the public. The Auditor shall provide the final report to the Council President presiding officer and the executive officer prior to releasing the report to the public.

(Ordinance No. 95-610A, Sec. 1)

2.15.070 Responses to Audit Reports

The Auditor shall furnish a final draft of each audit report to the audited entity for review and comment before it is released. The head of the audited entity may respond in writing to the Auditor's recommendations within 10 working days, or at the Auditor's discretion, a longer time frame may be specified. If a timely response is not received the Auditor shall so note at the time the report is released. The response must specify agreement with the audit findings and recommendations, or reasons for disagreement, as well as proposed plans for implementing solutions to identified problems and a proposed timetable to complete such activities.

(Ordinance No. 95-610A, Sec. 1)

2.15.080 External Audits

Subject to the requirements of the Metro Code pertaining to contracts, the Aauditor shall appoint external certified public accountants to conduct certified financial statement audits, as specified by state or local law. The Aauditor shall coordinate and monitor the conduct of and the responses to external financial statement audits. The Aauditor shall work toward the elimination of duplicative audit work through cooperation with state, federal and external auditors. The Aauditor may also, within budgeted appropriations, contract with other professionals to assist in the performance of the audit function. The Aauditor will coordinate and monitor audit related assistance provided by such professionals.

(Ordinance No. 95-610A, Sec. 1)

2.15.090 Report of Irregularities

If the Aauditor detects apparent violations of law or apparent instances of malfeasance or nonfeasance by an officer or employee or information that indicates derelictions may be reasonably anticipated, the Aauditor shall report the irregularities to the Council President ~~presiding officer~~ of the Metro Council and the Chief Operating Officer ~~executive officer~~. If the irregularity is potentially criminal in nature, the Aauditor shall notify the district attorney, when appropriate, in addition to those previously cited.

(Ordinance No. 95-610A, Sec. 1)

Exhibit J
Metro Charter 2003 Amendments to Metro Code

CHAPTER 2.16

NAMING OF FACILITIES

SECTIONS	TITLE
2.16.010	Statement of Purpose
2.16.020	Policy for Naming of Facilities
2.16.030	Facility Names

2.16.010 Statement of Purpose

This chapter is established to provide a policy for the naming of facilities owned or operated by Metro. This policy includes facilities that are operated by a Metro department, commission, or other entity which has responsibility for facility operations.

(Ordinance No. 94-576A, Sec. 1.)

2.16.020 Policy for Naming of Facilities

(a) Facilities owned by Metro shall be named through adoption of an ordinance by the Metro Council. Such an ordinance shall state the name and address of the facility, which shall be included in this chapter. For purposes of this section, a "facility" shall be a building, which may contain one or more rooms, theaters, halls, offices, exhibits, etc., a group of buildings under common management with a shared mission, or a zoo, park, open space, trail, cemetery, golf course, boat ramp, or other outdoor area owned by Metro.

(b) The principal purpose of the name of a facility shall be to identify the facility's function and purpose. When the Council deems it to be practicable and advisable, the name may also reflect the facility's ownership, location, source or sources of funding for its construction, or the contribution of effort made by a person or persons toward its construction, acquisition, or operation.

(c) A Metro facility may be named after any living person who has not held elective office in Oregon. In the event Metro acquires ownership of a facility that was named after a living person by the facility's former owner, the facility shall continue to bear that name.

(d) A Metro facility may be named for a deceased person in recognition of the person's significant contribution of effort or money in support of the facility or its construction or mission, in conformance with an adopted policy of the Metro Council.

(e) Individual parts of a facility, including but not limited to theaters, exhibits, ballrooms, meeting rooms, halls, lobbies, and equipment, may be named after a person or persons, living or deceased, by adoption of a resolution by the Metro Council ~~or relevant operating commission; provided,~~

however, that such a resolution adopted by a commission shall be subject to review by the Metro council as stipulated in the Metro Code.

(f) Facilities which Metro operates but does not own may not be named or re-named by Metro or a Metro commission. The owner(s) of such facilities shall retain authority for their naming or re-naming.

(Ordinance No. 94-576A, Sec. 1.)

2.16.030 Facility Names

(a) The following are the names and addresses of the facilities owned by Metro:

- ~~_____ Oregon Convention Center, 777 NE Martin Luther King Blvd., Portland, Oregon~~
- Metro Central Transfer Station, 6161 NW 61st Avenue, Portland, Oregon
- Metro Regional Center, 600 NE Grand Avenue, Portland, Oregon
- Metro South Transfer Station, 2001 Washington St., Oregon City, Oregon
- ~~_____ Oregon Convention Center, 777 NE Martin Luther King Blvd., Portland, Oregon~~
- Oregon Zoo, 4001 SW Canyon Rd., Portland, Oregon
- ~~_____ Portland Metropolitan Exposition Center, 2060 N. Marine Drive, Portland, Oregon~~

(Ordinance No. 94-576A, Sec. 1. Amended by Ordinance No. 98-726, Sec. 2.)

Exhibit K
Metro Charter 2003 Amendments to Metro Code

CHAPTER 2.17

**CODE OF ETHICS FOR METRO OFFICIALS
AND REQUIREMENTS FOR LOBBYISTS**

SECTIONS	TITLE
2.17.010	Purpose and Policy
2.17.020	Definitions
2.17.030	Giving and Receiving Gifts Prohibited by Lobbyists Registered with Metro
2.17.040	Whistleblowing
2.17.050	Financial Reporting Requirements
2.17.060	Restrictions on Meals and Entertainment
2.17.070	Reimbursement for Attendance at Events
2.17.090	Prohibition Against Doing Business With Metro Officials
2.17.110	Registration of Lobbyists
2.17.120	Exemptions to Lobbyist Registration Requirements
2.17.130	Statements of Lobbying Expenses
2.17.140	Employers of Lobbyists Expense Statements
2.17.150	Verification of Reports, Registrations and Statements
2.17.160	Public Nature of Reports, Registrations and Statements
2.17.170	Sanctions for Violations
2.17.180	Pending Enforcement by Oregon Government Standards and Practices Commission

2.17.010 Purpose and Policy

(a) The Metro Council hereby declares that the purpose of this Chapter is to ensure that Metro serves the public and informs the public fully concerning its decision making. In accordance with such purposes, this Chapter establishes a Code of Ethics for Metro and requirements for lobbyists appearing before Metro.

(b) In adopting this Chapter, the Metro Council intends:

- (1) To be consistent with and to add to current public policy established by the Oregon Legislative Assembly;
- (2) To require Metro officials to operate under high ethical standards;
- (3) To require Metro officials to treat their offices and positions as a public trust whose powers and resources are to be used for the benefit of the public and not for any personal benefit; and

- (4) To require individuals and entities appearing before Metro to identify themselves and the interests they represent.

(c) It is the policy of Metro that all Metro officials and employees strictly comply with the Code of Ethics contained in ORS 244.040.

(Ordinance No. 99-795B, Sec. 1.)

2.17.020 Definitions

For the purposes of this Chapter, unless the context requires otherwise, the following terms shall have the meaning indicated:

(a) "Business" means any corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, self-employed individual and any other legal entity operated for economic gain.

(b) "Business with which the Metro official is associated" means any business of which the person or the person's relative is a director, officer, owner or employee, or agent or any corporation in which the person or the person's relative owns or has owned stock worth \$1,000 or more at any point in the preceding calendar year, but excluding any income-producing not-for-profit corporation that is tax exempt under Section 501(c) of the Internal Revenue Code with which a public official is associated in a nonremunerative capacity.

(c) "Consideration" includes a gift, payment, distribution, loan, advance or deposit of money or anything of value, and includes a contract, promise or agreement, whether or not legally enforceable.

(d) "Department Director" means any person employed by Metro in a position on a permanent basis which authority is to administer a department of Metro as designated by the Chief Operating Officer is subject to appointment by the executive officer and confirmation by the Metro council.

(e) "Doing business" means entering into a direct contractual relationship with a business with which the Metro official is associated.

(f) "Elected official" means any person elected or appointed as a member of the Metro Council, ~~the executive officer,~~ or the Auditor.

(g) "Employer of a lobbyist" means the individual or entity required to grant official authorization to a lobbyist to lobby on their behalf pursuant to Section 2.17.110(a)(2).

(h) "Ethics" means positive principles of conduct, some of which are also enforced by federal, state or other local law.

(i) "Exercise of official authority" means: Metro elected officials and the Chief Operating Officer and Metro Attorney General Counsel have authority to exercise official responsibility over any Metro matter. Appointed commissioners have authority over any matter over which the relevant commission has jurisdiction. Department Directors have authority over any matter related to the

department they administer. Metro employees have authority over matters as assigned to them by their supervisors.

(j) "Gift" means "Gift" as defined in ORS 244.020(8). However, for the purpose of this chapter, "Gift" does not include plaques, momentos or similar items with little or no intrinsic value.

(k) "Legislative action" means introduction, sponsorship, testimony, debate, voting or any other official action on any ordinance, resolution, amendment, nomination, appointment or report, or any matter which may be the subject of action by the Metro Council or any committee thereof.

(l) "Legislative or administrative interest" means an economic interest, distinct from that of the general public, in one or more ordinances, resolutions, regulations, proposals or other matters subject to the action or vote of a Metro official or Metro employee.

(m) "Lobbying" means influencing, or attempting to influence, legislative action through oral or written communication with Metro officials, solicitation of others to influence or attempt to influence legislative action or attempting to obtain the good will of Metro Councilors.

(n) "Lobbyist" means: (i) Any individual who agrees to provide personal services for money or any other consideration for the purpose of lobbying; and (ii) Any employee of a business, not-for-profit corporation, association, organization or other group, who engages in lobbying.

(o) "Metro" means all of Metro including any department or branch of Metro including any Metro commission.

(p) "Metro commissioner" means any person appointed to a position on the Metropolitan Exposition Recreation Commission.

(q) "Metro facilities" means meeting rooms, meeting areas or other Metro property generally available to the public.

(r) "Metro official" means any Department Director, elected official or Metro commissioner.

(s) "Person" means any individual, business, association, corporation, organization or other group.

(t) "Public agency" means any governmental body, including but not limited to the Federal Government, the State of Oregon, any other state of the United States of America, or any public agency or municipal corporation thereof.

(u) "Public official" means any member or member-elect of any public agency and any member of the staff or an employee thereof.

(v) "Whistleblowing" means disclosing information pursuant to the protective provision of The Oregon Whistleblower Law (renumbered in 2001: ORS 659A.200 through 659A.224) (ORS 659.505

through 659.545). In addition, whistleblowing shall include disclosing information regarding the violation of any provision of the Metro Charter or Metro Code.

(Ordinance No. 99-795B, Sec. 1.)

2.17.030 Giving and Receiving Gifts Prohibited by Lobbyists Registered with Metro

(a) All Metro officials, lobbyists and employers of lobbyists registered with Metro shall comply strictly with the following requirements:

- (1) No Metro official shall solicit or receive, whether directly or indirectly, a gift from any lobbyist or employer of a lobbyist registered with Metro.
- (2) No lobbyist or employer of a lobbyist registered with Metro shall offer any gift to any Metro official or Metro employee.

(Ordinance No. 99-795B, Sec. 1.)

2.17.040 Whistleblowing

(a) The Council specifically recognizes the provisions of The Oregon Whistleblower Whistleblowing Law (ORS 659A.200 through 659A.224)~~(ORS 659.505 through ORS 659.545)~~. The Council directs the Chief Operating Officer~~Executive Officer~~, pursuant to ORS 659A.221~~659.540~~, to establish for Metro the specific regulations and procedures to implement the Oregon Whistleblower Whistleblowing Law.

(b) Metro officials shall recognize whistle-blowing as appropriate. However, this provision shall not preclude taking disciplinary action against any Metro employee when it is appropriate to do so for independent reasons.

(Ordinance No. 99-795B, Sec. 1.)

2.17.050 Financial Reporting Requirements

(a) Elected officials shall comply with the reporting requirements established by ORS 244.060, including the filing of a Statement of Economic Interest on an annual basis as required by state law. A copy of the Statement of Economic Interest shall be filed with the Council Clerk at the time of filing with the appropriate state agency.

(b) All Department Directors and Metro commissioners shall file annually with the Council Clerk a Statement of Economic Interest which is substantially consistent with that required by ORS 244.060.

(c) In addition, the Statement of Economic Interest shall disclose the ownership of any real property outside the Metro boundary and within Multnomah, Clackamas or Washington County.

(Ordinance No. 99-795B, Sec. 1.)

2.17.060 Restrictions on Meals and Entertainment

(a) No Metro official shall solicit or receive entertainment from any lobbyist or employer of a lobbyist registered with Metro-

(b) No lobbyist or employer of a lobbyist registered with Metro shall furnish to a Metro official admission to entertainment.

(c) Metro officials shall not solicit or receive meals from any lobbyist or employer of a lobbyist registered with Metro if the cost of the meal exceeds the amount allowed by the United States Internal Revenue Service as a deductible business travel expense.

(d) No lobbyist or employer of a lobbyist registered with Metro shall furnish a Metro official meals if the cost of the meal exceeds the amount allowed by the United States Internal Revenue Service as a deductible business travel expense.

(e) However, subject to the limits of ORS Chapter 244, Metro officials may attend fundraising events benefiting non-profit tax exempt entities as guests of lobbyists or employers of lobbyists registered with Metro. Lobbyists or employers of lobbyists registered with Metro may pay the cost of Metro officials attending such fundraising events.

(Ordinance No. 99-795B, Sec. 1.)

2.17.070 Reimbursement for Attendance at Events

Metro officials may not accept food, lodging and travel from any person with a legislative or administrative interest in Metro when participating in an event which bears a relationship to the Metro officials' office when appearing in their official capacities unless the cost of the food, lodging, or travel would have been eligible for payment as a Metro expense and the incurrence of the expense with Metro funds has been approved prior to the event by the appropriate authority.

(Ordinance No. 99-795B, Sec. 1.)

2.17.090 Prohibition Against Doing Business With Metro Officials

(a) Except as provided for in subsections (b) and (c), Metro may not do business with any Metro official while the official is in office or within one year after the Metro official ceases to be a Metro official if the official had authority to exercise official responsibility in the matter. Any contract entered into in violation of this provision is void.

(b) Upon the request of the Chief Operating Officer ~~executive officer~~ or a Metro commission, the Council may waive the effect of the prohibition contained in subsection (a) upon making written findings that:

(1) It is in the best interests of Metro to do business with the Metro official.

- (2) The Metro official took no action while in office that directly related to the preparation of the terms and conditions in the contract documents that may give an appearance of impropriety or favoritism.
- (3) Other factors exist which are explicitly found by the Council to benefit Metro that outweigh the policy considerations of ensuring that no appearance of favoritism exists in the award of Metro contracts.

(c) This section applies only to Metro officials who first take office or are re-elected or re-appointed to an office after September 7, 1995. This section shall not be construed to permit any activity that is otherwise prohibited by any other statute, rule, ordinance, or other law.

(Ordinance No. 99-795B, Sec. 1.)

2.17.110 Registration of Lobbyists

(a) Within three (3) working days after exceeding the limit of time specified in Code Section 2.17.120(a)(5), each lobbyist shall register with the Oregon Government Standards and Practices Commission by filing with the Commission and Council a statement containing the following information:

- (1) The name and address of the lobbyist.
- (2) The name and address of each person or agency by whom the lobbyist is employed or in whose interest the lobbyist appears or works, a description of the trade, business, profession or area of endeavor of that person or agency, and a designation by each such person or agency that the lobbyist is officially authorized to lobby for that person or agency.
- (3) The name of any member of the Metro Council who is in any way employed by the lobbyist employer designated in paragraph (b) of this subsection or who is employed by the lobbyist or whether the lobbyist and member are associated with the same business. Ownership of stock in a publicly traded corporation in which a member of the Metro Council also owns stock is not a relationship which need be stated.
- (4) The general subject or subjects of the legislative interest of the lobbyist.

(b) The designation of official authorization to lobby shall be signed by an officer of each such corporation, association, organization or other group or by each individual by whom the lobbyist is employed or in whose interest the lobbyist appears or works.

(c) A lobbyist must revise the statements required by subsection (a) of this section, if any of the information contained therein changes within 30 days of the change.

(d) A lobbyist registration expires one year after the date of filing or refiling.

(Ordinance No. 99-795B, Sec. 1.)

2.17.120 Exemptions to Lobbyist Registration Requirements

(a) The requirements of Code Section 2.17.110 through Code Section 217.140 do not apply to the following:

- (1) News media or their employees or agents, who in the ordinary course of business publish or broadcast news items, editorials or other comments or paid advertisements which directly or indirectly urge legislative action if such persons engage in no other activities in connection with such legislative action.
- (2) Any Metro official acting in an official capacity.
- (3) Public officials acting in their official capacity as a member or employee of a public agency.
- (4) Any individual who receives no additional consideration for lobbying and who limits lobbying activities solely to formal appearances to give testimony before Metro Council or any of its committees, and who, if the individual testifies, registers an appearance in the records of the Council or its committees.
- (5) Any person who spends not more than five (5) hours during any calendar quarter lobbying, excluding travel time.

(Ordinance No. 99-795B, Sec. 1.)

2.17.130 Statements of Lobbying Expenses

(a) Any lobbyist who engages in any lobbying activities shall file with the Oregon Standards and Practices Commission and the Council on January 31 of each year a statement showing:

- (1) The name of any Metro official who attended a fund raising event for a non-profit tax exempt entity as a guest of the lobbyist including the date, name of the non-profit entity and amount of that expenditure.

(Ordinance No. 99-795B, Sec. 1.)

2.17.140 Employers of Lobbyists Expense Statements

(a) Any person which employs a lobbyist who was registered, or who was required to register with the Oregon Standard and Practices Commission shall file with the Commission and the Council by January 31, a statement showing, for the preceding calendar year:

- (1) The name of any Metro official who attended a fund raising event for a non-profit tax exempt entity as a guest of the employer of a lobbyist, but not including

information previously reported in compliance with Section 2.17.130 and the date, name of the non-profit entity and amount of expenditure.

(Ordinance No. 99-795B, Sec. 1.)

2.17.150 Verification of Reports, Registrations and Statements

(a) Each report, registration or statement required by this Chapter shall contain or be verified by a written declaration that it is made under the penalties of false swearing.

(b) No person shall willfully make and subscribe any document which contains or is verified by a written declaration for false swearing which the person does not believe to be true and correct to every matter.

(Ordinance No. 99-795B, Sec. 1.)

2.17.160 Public Nature of Reports, Registrations and Statements

All information submitted to the Oregon Government Standards and Practices Commission or Council in any report, registration or statement required by this Chapter is a public record.

(Ordinance No. 99-795B, Sec. 1.)

2.17.170 Sanctions for Violations

Pending the Oregon Government Standards and Practices Commission obtaining jurisdiction to enforce this chapter, and notwithstanding any other provision of the Metro Code, a person who violates any provision of this Chapter or fails to file any report, registration or statement or to furnish any information required by this Chapter shall be subject to a civil penalty in an amount not greater than \$500. When authorized by law the Commission shall require that any person who violates any provision of this Chapter is subject to the provisions of ORS 171.990 and ORS 171.992.

However no Metro official shall be subject to any sanction for a violation of this chapter that resulted from the receipt of any gift, meal, or entertainment from any person who is not currently registered with Metro as a lobbyist or is not designated on a lobbyist's registration as the employer of a lobbyist.

(Ordinance No. 99-795B, Sec. 1.)

2.17.180 Pending Enforcement by Oregon Government Standards and Practices Commission

Prior to the Oregon Government Standards and Practices Commission becoming the administrative and enforcement authority for the provisions of this Chapter pursuant to an intergovernmental agreement or action of the Oregon Legislative as appropriate, all reports and registrations required by this Chapter shall be filed solely with the Council.

(Ordinance No. 99-795B, Sec. 1.)

Exhibit L
Metro Charter 2003 Amendments to Metro Code

CHAPTER 2.18

CAMPAIGN FINANCE REGULATION

SECTIONS	TITLE
2.18.010	Purpose and Intent
2.18.020	Definitions
2.18.030	Additional Campaign Finance Reporting Requirements
2.18.040	Public Dissemination of Campaign Finance Reports

2.18.010 Purpose and Intent

The purpose and intent of this chapter is to provide additional campaign finance reporting disclosure to the public that is consistent with the current campaign finance disclosure requirements in Oregon and federal laws. It is the intent of this chapter that it be construed as being a supplement to existing campaign finance regulations.

(Ordinance No. 00-849A, Sec. 1.)

2.18.020 Definitions

As used in this chapter, the following terms shall have the following meanings. Any word not specifically defined herein shall have the meaning defined in ORS 260.005.

- (a) "Candidate" means a candidate for a Metro elected office.
- (b) "Legislative or administrative interest" has the meaning defined in ORS 244.020.
- (c) "Metro Elected Official" means any person elected or appointed as a member of the Metro Council, ~~the Metro Executive Officer~~ and the Metro Auditor.
- (d) "Metro Elected Office" means the seven (7) Metro Council positions, ~~the Metro Executive Officer~~ and the Metro Auditor.

(Ordinance No. 00-849A, Sec. 1.)

2.18.030 Additional Campaign Finance Reporting Requirements

(a) Every Candidate and every Metro Elected Official who is a candidate for any public office shall file with the Metro Council Clerk an original copy of any campaign finance report required to be filed pursuant to ORS 260 or any applicable federal law. Such campaign finance reports shall include

all required reports of contributions and expenditures. The report shall be delivered to the Clerk within two (2) days after it is filed with the filing officer provided for under Oregon or federal law.

(b) In addition to the reports required by subsection (a) above, every Candidate and every Metro Elected Official who is a candidate for any public office shall file reports with the Metro Council Clerk disclosing all contributions required to be reported under Oregon or federal law no less frequently than every 90 days. The first report shall be filed with the Metro Council Clerk no later than 90 days after the date the Metro Elected Official declares their candidacy or first organizes a political committee.

(c) Prior to taking any action or voting on any matter in which any person who has a legislative or administrative interest has made a campaign contribution of \$500 or more in the aggregate to the Metro Elected Official, the Metro Elected Official shall disclose the existence of the contribution on the public record, if the contribution has not been previously reported on any financial report required to be filed with the Metro Council Clerk pursuant to (a) or (b) above.

(d) A Metro Councilor shall make the disclosure of such contributions on the record required by (c) above immediately prior to voting or abstaining from voting on the matter. ~~The Metro Executive Officer and Metro Auditor~~ shall disclose such contributions by filing a written notice with the Metro Council Clerk or the Council prior to taking action on any such matter. In all cases, the disclosure shall include the name of the donor, the amount of the contribution and the nature of the donor's legislative or administrative interest in Metro.

(Ordinance No. 00-849A, Sec. 1.)

2.18.040 Public Dissemination of Campaign Finance Reports

The Metro Council Clerk shall maintain a file of all campaign finance reports received and shall provide public access to the file at no charge. The Metro Council Clerk shall also provide such access by including the reports on Metro's world-wide web information "page."

(Ordinance No. 00-849A, Sec. 1.)

STAFF REPORT

IN CONSIDERATION OF

- ORDINANCE NO. 02-967 FOR THE PURPOSE OF AMENDING TITLE II ADMINISTRATION AND PROCEDURES (CHAPTERS 2.03, 2.05, 2.07, 2.09, 2.11, 2.12, 2.14, 2.15, 2.16, 2.17, AND 2.18), OF THE METRO CODE TO CONFORM TO THE METRO CHARTER AMENDMENTS ADOPTED ON NOVEMBER 7, 2000, AND DECLARING AN EMERGENCY
- ORDINANCE 02-972 FOR THE PURPOSE OF AMENDING TITLE III PLANNING OF THE METRO CODE (CHAPTER 3.01 THROUGH CHAPTER 3.09), TO CONFORM TO THE METRO CHARTER AMENDMENTS ADOPTED ON NOVEMBER 7, 2000, AND DECLARING AN EMERGENCY
- ORDINANCE 02-973, FOR THE PURPOSE OF AMENDING TITLE IV OREGON ZOO OF THE METRO CODE (CHAPTER 4.01), TO CONFORM TO THE METRO CHARTER AMENDMENTS ADOPTED ON NOVEMBER 7, 2000, AND DECLARING AN EMERGENCY
- ORDINANCE 02-975, FOR THE PURPOSE OF AMENDING TITLE VI COMMISSIONS OF THE METRO CODE (CHAPTER 6.01), TO CONFORM TO THE METRO CHARTER AMENDMENTS ADOPTED ON NOVEMBER 7, 2000, AND DECLARING AN EMERGENCY
- ORDINANCE 02-977, FOR THE PURPOSE OF AMENDING TITLE IX ELECTIONS OF THE METRO CODE (CHAPTER 9.01 AND CHAPTER 9.02), TO CONFORM TO THE METRO CHARTER AMENDMENTS ADOPTED ON NOVEMBER 7, 2000, AND DECLARING AN EMERGENCY
- ORDINANCE 02-978, FOR THE PURPOSE OF AMENDING TITLE X METRO REGIONAL PARKS AND GREENSPACES OF THE METRO CODE (CHAPTER 10.01 THROUGH CHAPTER 10.03), TO CONFORM TO THE METRO CHARTER AMENDMENTS ADOPTED ON NOVEMBER 7, 2000, AND DECLARING AN EMERGENCY

Date: October 10, 2002

Prepared by: Peggy Coats

BACKGROUND

As a result of the passage by the voters of Ballot Measure 26-10 on November 7, 2000, various changes to Metro's existing code are in order to conform to the approved amendments to Metro's charter. The changes proposed in these ordinances to primarily remove references to the Executive Officer and Presiding Officer, whose offices will be abolished effective January 6, 2003; and create references to the Council President and the Chief Operating Officer, consistent with code amendments adopted by Council earlier this year (see "Legal Antecedents" below), along with minor grammatical and formatting corrections. The proposed ordinances make changes to the following code sections:

- Title II, Administration and Procedures (Chapters 2.03, 2.05, 2.07, 2.09, 2.11, 2.12, 2.14, 2.15, 2.16, 2.17, and 2.18)
- Title III Planning (Chapters 3.01 through 3.09)

- Title IV Oregon Zoo (Chapter 4.01)
- Title VI Commissions (Chapter 6.01)
- Title IX Elections (Chapters 9.01 and 9.02)
- Title X Metro Regional Parks and Greenspaces (Chapters 10.01 through 10.03)

ANALYSIS/INFORMATION

1. **Known Opposition** None
2. **Legal Antecedents** Resolution 00-2929A "For the Purpose of Submitting to the Voters an Amendment to the Metro Charter Abolishing the Office of Executive Officer, Creating the Office of Council President, and Making Related Changes"; Ordinance 02-942A "For the Purpose of Adding a New Chapter 2.20 to the Metro Code Creating the Office of Chief Operating Officer"; Ordinance 02-953A "For the Purpose of Creating the Office of Metro Attorney"; Ordinance 02-954A "For the Purpose of Reflecting the Creation of the Office of Metro Council President"; and Ordinance 02-955A "For the Purpose of Amending Chapter 2.19 of the Metro Code to Conform to Charter Amendments Adopted on November 7, 2000".
3. **Anticipated Effects** This ordinance will amend Chapters 2.03, 2.05, 2.06, 2.07, 2.09, 2.11, 2.12, 2.14, 2.15, 2.16, 2.17, 2.18, 3.01 through 3.09, 4.01, 6.01, 9.01, 9.02, and 10.01 through 10.03) of the Metro Code to conform to approved Charter amendments.
4. **Budget Impacts** None

RECOMMENDED ACTION

That Council approve adoption of Ordinances 02-967, 02-972, 02-973, 02-975, 02-977 and 02-978.